

**ELK TOWNSHIP COMMITTEE  
MINUTES  
September 6, 2012**

The meeting of the Elk Township Committee was held on the above date in the Municipal Building. The meeting was called to order by Mayor Barbaro at 7:31 PM.

The Open Public Meeting Notice was read. The Salute to the Flag and the Lord's Prayer were recited in unison.

Present were Mrs. Sammons, Mr. Spring, Mr. Swanson, Mayor Barbaro, Mr. Duffield, Solicitor, Mr. Considine, CFO, Mrs. Pine, Township Clerk and Lt. Walt Garrison. Mr. Pantaleo and Chief DeFalco were absent.

**APPROVAL OF MINUTES:**

Motion by Mr. Swanson, seconded by Mr. Spring to approve the minutes of August 21, 2012 Work Session all were in favor motion carried.

**COMMITTEE REPORTS**

Mr. Spring stated that the Economic Development Committee will meet Monday, October 1<sup>st</sup> at 7:30PM. Crime Watch will meet on Thursday, September 27<sup>th</sup>. They are still looking for members. Both meetings will be held in the Municipal Building.

Mr. Swanson reported the construction department issued 19 permits and 45 certificates of approval. There were no new building permits issued.

A court order has been received approving the demolition of 5 Spring Circle. The funds are not available at this time, but it will be taken down as soon as the funds are available.

The planning/zoning board listened to a presentation from John and Mike Canuso. They addressed the board regarding the purchase of a portion of the Orleans project Latham Park. They are considering adding this to their project. They were looking for feed back from the board.

Public Works had a lot of batteries that were recycled. A rebate of \$532.80 was received.

Mr. Swanson would like to purchase a new trash can for the front of the building.

Mr. Swanson mentioned the lights that have been on the ground for several years in the public works area. Mayor Barbaro stated they were donated 2 or 3 years in hopes of using them to light baseball.

Mrs. Sammons announced the Recreation Committee will meet on September 11<sup>th</sup> here in the municipal building at 7:30PM.

There will be a JIF Safety meeting here on September 25<sup>th</sup> at 11AM.

**POLICE CHIEF REPORT**

Lt. Garrison gave the police department for the Chief. The department responded to 448 calls for service, 14 motor vehicle crashes, issued 71 motor vehicle summons and made 12 arrests.

Operation Take Back will be Saturday, September 29<sup>th</sup>, 2012 from 10AM to 2PM. Unwanted drugs can be turned into the police for proper disposal. They will NOT be accepting needles this time.

**TOWNSHIP ENGINEER REPORT**

Mayor Barbaro read the engineers report. The 2013 DOT Road Program applications are due by October 16, 2012. The engineer would like to know if committee would like to reapply for Railroad Avenue and Willow Grove Road. Committee agreed to reapply for Railroad Avenue and Willow Grove Road.

Silver Lake Estates and Valle del Sol are still building.

The mayor asked the engineer about the pipes under roadways that need to be prepared. The engineer will prepare a proposal to bid to see if there is someone that will fix and/or replace the pipes for a lower price.

## **FIRE DEPARTMENT REPORT**

Mr. Spring read the reports from the fire departments for the month of August.

Aura Fire Company responded to 9 calls for service.

Ferrell Fire Company responded to 7 calls for service.

There was no report for Lawn's Fire Company.

Mrs. Sammons stated our Risk Management Consultant has notified her that the Lawn's Fire Company has not submitted safety reports in several months.

Mr. Swanson will talk to them.

## **1<sup>st</sup> PUBLIC PORTION**

Motion by Mr. Spring to open the meeting to the public, seconded by Mr. Swanson, all were in favor, motion carried.

Mayor Barbaro asked if anyone had any questions concerning the listed ordinances or resolutions to come forward at this time.

Lorianne Eck, 289 Clayton Aura Road, asked what the Elk/Franklin Municipal Alliance is. Mrs. Pine explained the Municipal Alliance is a drug and alcohol education program run through Delsea Regional High School District.

Motion by Mr. Swanson to close the public portion, seconded by Mr. Spring, all were in favor, motion carried.

### **RESOLUTION R-91-2012**

#### **RESOLUTION AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND ESCROW FUNDS AND REQUIRING THE POSTING OF A MAINTENANCE GUARANTEE BY RICHMOND AMERICAN HOMES OF PENNSYLVANIA, INC. FOR THE COUNTRY WOODS SUBDIVISION, AFFECTING A PARCEL KNOWN AS BLOCK 42, LOT 13**

Motion by Mrs. Sammons, seconded by Mr. Swanson, to adopt and approve said resolution, upon roll call motion carried.

Roll Call:	Mrs. Sammons	Yes
	Mr. Spring	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

### **RESOLUTION R-92-2012**

#### **RESOLUTION AUTHORIZING THE ELK/FRANKLIN MUNICIPAL ALLIANCE TO SUBMIT AN APPLICATION FOR FUNDING FOR THE MUNICIPAL ALLIANCE PROJECT FOR 2013**

Motion by Mr. Spring, seconded by Mrs. Sammons, to adopt and approve said resolution, upon roll call motion carried.

Roll Call:	Mrs. Sammons	Yes
	Mr. Spring	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

### **RESOLUTION R-93-2012**

#### **RESOLUTION APPOINTING CLASS II SPECIAL OFFICER FOR THE ELK TOWNSHIP POLICE DEPARTMENT- Ryan Wells**

Motion by Mr. Spring, seconded by Mrs. Sammons, to adopt and approve said resolution, upon roll call motion carried.

Roll Call:	Mrs. Sammons	Yes
	Mr. Spring	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

**RESOLUTION R-94-2012**  
**RESOLUTION TO RETURN MONEY TO THE SINGH REAL ESTATE,**  
**RECEIVED AFTER TAX SALE CERTIFICATE WAS REDEEMED**

Motion by Mr. Swanson, seconded by Mr. Spring, to adopt and approve said resolution, upon roll call motion carried.

Roll Call:	Mrs. Sammons	Yes
	Mr. Spring	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

**RESOLUTION R-95-2012**  
**RESOLUTION TO GO INTO CLOSED EXECUTIVE SESSION TO DISCUSS CONTRACT**  
**NEGOTIATIONS IN REGARDS TO CAPSTONE SOLAR DEVELOPMENT & FINANCE LLC,**  
**RENEWABLE ENERGY SERVICES AGREEMENT**

Motion by Mrs. Sammons, seconded by Mr. Swanson, to adopt and approve said resolution, all were in favor, motion carried.

**RESOLUTION R-97-2012**  
**RESOLUTION APPROVING FORM OF MAINTENANCE GUARANTEE SUBMITTED BY RICHMOND**  
**AMERICAN HOMES OF PENNSYLVANIA, INC. FOR THE COUNTRY WOODS SUBDIVISION,**  
**AFFECTING A PARCEL KNOWN AS BLOCK 42, LOT 13**

Motion by Mrs. Sammons, seconded by Mr. Swanson, to adopt and approve said resolution, upon roll call motion carried.

Roll Call:	Mrs. Sammons	Yes
	Mr. Spring	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

**GLOUCESTER COUNTY REPRESENTATIVE** – David Lubelski, County Engineer was present.

Mr. Lubelski gave an update on the paving of CR 553 (Buck Road) and the installation of the traffic light at Buck Road and Clayton Road. The county anticipates the milling and paving portion to be completed by September 12<sup>th</sup> or 13<sup>th</sup>.

Mrs. Sammons asked if there will be right hand turn lane heading north on Buck Road onto Clayton Road. Mr. Lubelski stated there will be a wide shoulder on both sides, but not formal right turn lanes.

Mayor Barbaro asked if they are cameras on the traffic light. Mr. Lubelski stated they are not cameras they do not record, they are nothing more than traffic sensors.

Mr. Haynicz asked if the lines on CR 553 onto CR 538 will be moved back for right hand turns, tractor trailers have a difficult time making the turn.

Mr. Lubelski stated the line will be moved back.

Mayor Barbaro asked if there is any word on the traffic signal at CR 538 and SR 77.

Mr. Lubelski stated they have not heard anything from the State. The county has requested an All Way (4 Way) stop be installed in the mean time. They are still waiting for a reply.

**PUBLIC PORTION:**

Motion by Mr. Spring to open the meeting to the public, seconded by Mr. Swanson, all were in favor, motion carried.

Mayor Barbaro asked if anyone had any issues they would like to bring to the township committees attention to come forward at this time.

Fred Boeckle, Chief Ferrell Fire Company, stated the fire building was inspected and there are some violations.

The most serious is the need for an alarm in the basement. They do not have a window in the basement, since the basement is in the middle of the building and does not have access to an outside wall. They have received a quote of \$600 for installation and \$300 month for monitoring. They have also received a

quote of \$4700 to install new openers that have the required safety mechanisms. The department is requesting \$1000 of safety money for the alarm.

Tony and Heidi Creta, 233 Unionville Rd., were present to explain to committee what is happening between them and Mr. Mick concerning the complaints of chemicals in drums. The DEP and County Health Department have both been out to their property and nothing has been found. There are no chemicals in the drums. Mr. and Mrs. Creta are asking for patience with the clean up. They are working to clean the property. They have been in contact with the zoning officer and he is pleased with the work. The information that is coming from the neighbor is not true. Mr. Creta passed out personal medical information to committee. (Under the recommendation of Mr. Duffield, the Clerk collected this information after the meeting and had it shredded.) Mr. Creta further explained about his accident and the circumstance that has left him unable to work like he used to. They are not happy with what the neighbor has been saying and doing. They feel they are being stalked every time they walk out their door and would just like it to end.

Mr. Duffield suggested they seek legal counsel.

Lt. Garrison also recommended coming in and signing a legal complaint against the neighbor if they feel they are stalking or doing something criminal.

Motion by Mrs. Sammons to close the public portion, seconded by Mr. Swanson, all were in favor, motion carried.

#### **PAY BILLS**

Motion by Mrs. Sammons to Pay the Bills, seconded by Mr. Swanson, upon roll call motion was carried.

Roll Call:	Mrs. Sammons	Yes
	Mr. Spring	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

#### **RECESS:**

Motion by Mr. Spring to recess from the regular meeting, seconded by Mr. Swanson, all were in favor motion carried. The meeting recessed at 8:31pm.

Motion by Mrs. Sammons to return to the meeting, seconded by Mr. Spring, all were in favor motion carried. The meeting was called back to order at 8:49pm.

#### **SUMMARY OF CLOSED SESSION:**

Mr. Duffield stated the committee discussed the status of the agreement with Capstone Solar Development, Renewable Energy Services agreement and the status of the contract and status of the project. There was no other discussion.

#### **RESOLUTION R-96-2012**

#### **RESOLUTION AUTHORIZING EMEX, LLC TO CONDUCT AN ONLINE REVERSE AUCTION FOR THE PURCHASE OF ELECTRICITY**

Motion by Mrs. Sammons, seconded by Mr. Swanson, to adopt and approve said resolution, upon roll call motion carried.

Roll Call:	Mrs. Sammons	Yes
	Mr. Spring	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

Mr. Considine was approached by the Electrical Subcode Official, that 2 hours per day is not enough time to complete his work. He would like to have more hours. He is a salaried employee.

Committee agreed he can work additional hours, but the pay will not increase.

Mr. Spring had several topics for the work session.  
Exposure Control Officer, we are required by law to have one in the township.  
Right to Know Coordinator  
911 Street names and street numbers  
Township owned and lien properties

Mrs. Sammons would like to discuss landlord/tenant registration and fees at the work session.

There is also currently no requirement for a septic certificate for a CO. Mr. Duffield stated this can be done by ordinance. This will also be discussed at the work session.

#### **ADJOURNMENT**

Motion by Mr. Spring to adjourn, seconded by Mrs. Sammons all were in favor, the meeting was adjourned at 9:08PM.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Debora R. Pine".

Debora R. Pine, RMC, CMC  
Township Clerk

**RESOLUTION R-91- 2012**

**RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK AUTHORIZING  
RELEASE OF THE PERFORMANCE GUARANTEE AND ESCROW FUNDS AND REQUIRING THE  
POSTING OF A MAINTENANCE GUARANTEE BY RICHMOND AMERICAN HOMES OF  
PENNSYLVANIA, INC. FOR THE COUNTRY WOODS SUBDIVISION, AFFECTING A PARCEL  
KNOWN AS BLOCK 42, LOT 13  
ON THE OFFICIAL TAX MAP OF ELK TOWNSHIP,  
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY**

**WHEREAS**, via Resolution No. 2005-18, the Elk Township Combined Planning and Zoning Board granted final major subdivision approvals to the Applicant, Patriot Homes, L.L.C., for Block 42, Lot 13, to be known as the "Country Woods" development; and

**WHEREAS**, subsequent to the aforementioned approvals, Patriot Homes, L.L.C. conveyed all right, title and interest of the development to Richmond American Homes of Pennsylvania, Inc.; and

**WHEREAS**, Richmond American Homes of Pennsylvania, Inc., has caused certain work to be performed relating to improvements affecting a parcel known as Block 42, Lot 13 (Country Woods Subdivision) on the official Tax Map of the Township of Elk; and

**WHEREAS**, Richmond American Homes of Pennsylvania, Inc. previously posted the required Performance Guarantee (Performance Surety Bond No. SU5016824 dated August 24, 2005 issued by Arch Insurance Company in the sum of \$731,011.20) was received by the Township Clerk and remains in effect; and

**WHEREAS**, via Resolution R-100-2006, the Mayor and Committee of the Township of Elk approved a reduction to the aforesaid Performance Guarantee from \$731,011.20 to \$275,906.50; and

**WHEREAS**, the Elk Township Engineer has inspected all improvements secured by said Performance Guarantee, and has filed a written report with the Township Clerk dated July 30, 2012 (consisting of 1 page), attached hereto as Schedule "A", recommending the release of the Performance Guarantee; and

**WHEREAS**, the Elk Township Engineer further recommends posting and issuance of a Maintenance Guarantee as follows:

Maintenance Bond Amount	\$91,376.40
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**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee, Township of Elk, County of Gloucester, and State of New Jersey as follows:

1. The improvements performed by the Applicant, Richmond American Homes of Pennsylvania, Inc., for the Country Woods Subdivision, Block 42, Lot 13 are hereby accepted, and the Applicant is hereby released from all liability under the existing Performance Guarantee (Performance Surety Bond No. SU5016824 dated August 24, 2005 issued by Arch Insurance Company in the sum of \$731,011.20), however, subject to the conditions set forth below.

2. The Applicant shall post a Maintenance Guarantee in the sum of \$91,376.40 for a period of two (2) years and in the manner set forth in N.J.A.C. 5:36-4.4 and/or N.J.A.C. 5:36-4.2.

3. The Applicant is hereby directed to forward the above-described Maintenance Guarantee to the Township Clerk to satisfy the contingency set forth herein.

4. That no above-mentioned Performance Guarantee shall be released until receipt by the Township of an approved Maintenance Guarantee in a form and manner satisfactory to the Township's Solicitor (if not previously submitted and approved ) and payment by the Applicant of any outstanding fees or costs from inspections, escrows and/or items more particularly set forth in the Application and Resolution of the Township Planning/Zoning Board approving the project.

5. The Township Clerk is hereby directed to forward a certified copy of this Resolution to the Applicant and the Elk Township Engineer.

**ADOPTED** at a regular meeting of the Elk Township Committee held on September 6, 2012.

**TOWNSHIP OF ELK**

BY:   
PHILIP A. BARBARO, JR., Mayor

ATTEST:

  
DEBORA R. PINE, Township Clerk

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	ABSTAIN	ABSENT
Pantaleo				<input checked="" type="checkbox"/>
Sammons	<input checked="" type="checkbox"/>			
Spring	<input checked="" type="checkbox"/>			
Swanson	<input checked="" type="checkbox"/>			
Barbaro	<input checked="" type="checkbox"/>			

**CERTIFICATION**

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on September 6, 2012 in the Elk Township Municipal Building, 667 Whig Lane Road, Monroeville, New Jersey.

\_\_\_\_\_  
DEBORA R. PINE  
Township Clerk

## RESOLUTION R-92-2012

### RESOLUTION AUTHORIZING THE ELK/FRANKLIN MUNICIPAL ALLIANCE TO SUBMIT AN APPLICATION FOR FUNDING FOR THE MUNICIPAL ALLIANCE PROJECT FOR 2013

**WHEREAS** the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

**WHEREAS** the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

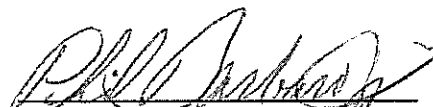
**WHEREAS** the Elk/Franklin Municipal Alliance has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Gloucester.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, hereby recognizes the following:

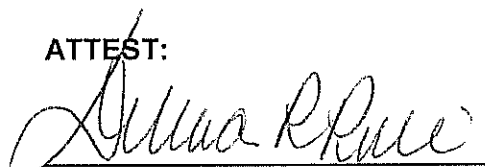
1. The Township Committee does hereby authorize submission of an application for Municipal Alliance grant for calendar year 2013 in the amount of \$40,728.00
2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**THIS RESOLUTION IS DULY ADOPTED** by the Township Committee of the Township of Elk at its meeting held on the 6<sup>th</sup> day of September, 2012 at the Municipal Building, 667 Whig Lane Road, Monroeville, NJ 08343.

#### TOWNSHIP OF ELK

  
Philip A. Barbaro, Jr., Mayor

ATTEST:

  
DEBORA R. PINE, TOWNSHIP CLERK

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	ABSTAIN	ABSENT
Pantaleo				✓
Sammons	✓			
Spring	✓			
Swanson	✓			
Barbaro	✓			

#### CERTIFICATION

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on September 6, 2012 in the Elk Township Municipal Building, 667 Whig Lane Road, Monroeville, New Jersey.

\_\_\_\_\_  
DEBORA R. PINE  
Township Clerk



R-93-2012

RESOLUTION OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF ELK

RE: APPOINTING CLASS II SPECIAL OFFICER  
FOR THE ELK TOWNSHIP POLICE DEPARTMENT- Ryan Wells

WHEREAS the Township of Elk has an opening for the appointment of a Class II Special Officer for the Elk Township Police Department; and

WHEREAS Ryan Wells has the necessary qualifications to serve in this position; and


NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Elk, that Ryan Wells be appointed to the position of Class II Special Officer to the Elk Township Police, as of August 31, 2012, subject to the existing salary schedule and the completion of any necessary eligibility requirements.

ADOPTED at a meeting of the Township Committee of the Township of Elk held on September 6, 2012.

TOWNSHIP OF ELK

  
Philip A. Barbaro, Jr., Mayor

ATTEST:

  
DEBORA R. PINE, TOWNSHIP CLERK

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	ABSTAIN	ABSENT
Pantaleo				✓
Sammons	✓			
Spring	✓			
Swanson	✓			
Barbaro	✓			

R-94-2012

**RESOLUTION TO RETURN MONEY TO THE SINGH REAL ESTATE,  
RECEIVED AFTER TAX SALE CERTIFICATE WAS REDEEMED**

**WHEREAS**, a check was received on August 31, 2012 to pay subsequent taxes on three liens held by Singh Real Estate; and

**WHEREAS**, one of the certificates was already redeemed; and

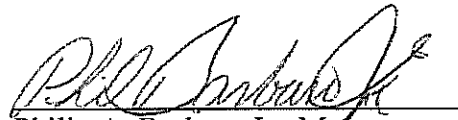
**WHEREAS**, since Singh has no further interest in this property, a refund is needed; and

**WHEREAS**, it is the intent of this resolution, to allow the CFO to issue a check in the amount of \$3,316.12 to Singh Real Estate 555 Lincoln Drive West, Suite 100 Marlton, NJ 08053.

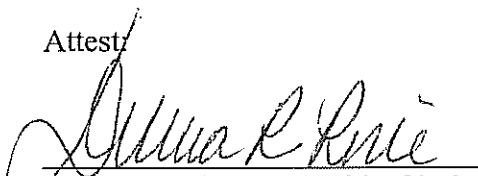
**NOW, THEREFORE, BE IT RESOLVED**, that the CFO issues a check in the amount of three thousand three hundred sixteen dollars and twelve cents \$3,316.12 to Singh Real Estate 555 Lincoln Drive West, Suite 100 Marlton, NJ 08053.

**APOPTED**, at the regular meeting of the Township Committee of the Township of Elk held on **September 6, 2012**.

**TOWNSHIP OF ELK**

  
Philip A. Barbaro Jr., Mayor

Attest:

  
Debora R. Pine, Township Clerk

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	ABSTAIN	ABSENT
Pantaleo				<input checked="" type="checkbox"/>
Sammons	<input checked="" type="checkbox"/>			
Spring	<input checked="" type="checkbox"/>			
Swanson	<input checked="" type="checkbox"/>			
Barbaro	<input checked="" type="checkbox"/>			

**RESOLUTION R-95-2012**

**RESOLUTION OF THE TOWNSHIP OF ELK  
TO GO INTO CLOSED EXECUTIVE SESSION TO DISCUSS  
CONTRACT NEGOTIATIONS IN REGARDS TO CAPSTONE SOLAR  
DEVELOPMENT & FINANCE LLC,  
RENEWABLE ENERGY SERVICES AGREEMENT**

**WHEREAS** N.J.S.A. 10:4-12B. (7) permits the Township Committee to enter into Closed Executive Session and exclude the public from portions of the meeting to discuss personnel, litigation and/or contract negotiations in which the public body is, or may be a party or which involves any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer; and

**WHEREAS** pursuant to N.J.S.A. 10:4-13, the Township Committee must first adopt a Resolution at a meeting which the public is admitted stating the general nature of the subject to be discussed and as precisely as possible at time when the circumstances under which the discussion conducted in Closed Executive Session can be disclosed to the public; and

**NOW, THEREFORE, BE IT RESOLVED**, that the time when and circumstances under which the discussion conducted in Closed Executive Session of the public body can be disclosed to the public will be at the conclusion of the beforementioned contract negotiation.

**THIS RESOLUTION WAS DULY ADOPTED** at the Regular Meeting of the Township Committee of the Township of Elk held on the 6<sup>th</sup> day of September 2012 and is duly certified by the Clerk to embody the determination made by the Committee at that hearing date.

**TOWNSHIP OF ELK**

  
Philip A. Barbaro, Jr., Mayor

**ATTEST:**

  
DEBORA R. PINE, TOWNSHIP CLERK

RESOLUTION R-96-2012

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,  
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AUTHORIZING EMEX, LLC TO  
CONDUCT AN ONLINE REVERSE AUCTION FOR THE PURCHASE OF ELECTRICITY

**WHEREAS**, the annual budget for electricity use by the Township is approximately \$\_\_\_\_\_; and

**WHEREAS**, the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 201c30, (hereinafter the "Act") provides an exception to New Jersey's Public Bid Law allowing the Township to forego traditional RFQs when purchasing electricity and to purchase electricity through an online reverse auction process in order to reduce cost; and

**WHEREAS**, the NJ Department of Community Affairs, via correspondence dated November 9, 2011, has approved EMEX, LLC of Houston, TX as a vendor to offer its reverse auction platform to New Jersey local contracting units for the purchase of energy generation services; and

**WHEREAS**, the Township of Elk plans to utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at [www.energymarketexchange.com](http://www.energymarketexchange.com); and

**WHEREAS**, the auction will be conducted pursuant to the terms and conditions of the Act.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Elk, County of Gloucester, State of New Jersey, that the Township is authorized to participate in an online reverse auction for the purpose of purchasing electricity from third party suppliers for use by the Township.

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to execute the necessary Energy Sales Agreement(s) subject to review and final approved by the Township Solicitor.

**BE IT FURTHER RESOLVED** that the Township Clerk is hereby directed to cause notice of the auction results to be published as required by law.

**ADOPTED** at a Regular Meeting of the Elk Township Committee held September 6, 2012.

TOWNSHIP OF ELK

BY: \_\_\_\_\_

PHILIP A. BARBARO, JR., Mayor

ATTEST:

  
DEBORA R. PINE, Township Clerk

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	ABSTAIN	ABSENT
Pantaleo				✓
Sammons	✓			
Spring	✓			
Swanson	✓			
Barbaro	✓			

CERTIFICATION

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on September 6, 2012 in the Elk Township Municipal Building, 667 Whig Lane Road, Monroeville, New Jersey.

\_\_\_\_\_  
DEBORA R. PINE, Township Clerk

## RESOLUTION R-97-2012

### **RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK APPROVING FORM OF MAINTENANCE GUARANTEE SUBMITTED BY RICHMOND AMERICAN HOMES OF PENNSYLVANIA, INC. FOR THE COUNTRY WOODS SUBDIVISION, AFFECTING A PARCEL KNOWN AS BLOCK 42, LOT 13 ON THE OFFICIAL TAX MAP OF ELK TOWNSHIP, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY**

**WHEREAS**, via Resolution No. R-91-2012, the Elk Township Committee authorized release of the Applicant's Performance Guarantee, and required a Maintenance Guarantee be posted upon the Township's Engineer recommendation for Richmond American Homes of Pennsylvania, Inc. affecting the parcel known as Block 42, Lot 13 on the official Tax Map of the Township of Elk; and

**WHEREAS**, the Applicant has submitted a Maintenance Surety Bond No. SU5016824-A dated August 9, 2012 in the amount of \$91,376.40 issued by Arch Insurance Company, as surety; and

**WHEREAS**, the aforesaid Maintenance Bond was issued by a surety listed on the New Jersey list of approved Financial Institutions maintained by the New Jersey Department of Banking and Insurance; and

**WHEREAS**, the Elk Township Solicitor has reviewed the Maintenance Surety Bond which has been submitted by the Applicant, and has approved the amount and form of the Maintenance Surety Bond; and

**WHEREAS**, the Elk Township Committee has reviewed the aforesaid opinion of the Township Solicitor and, based upon the opinion of the Township Solicitor, has determined that the submitted Maintenance Surety Bond is acceptable.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Elk, Gloucester County, New Jersey, as follows:

1. The Maintenance Surety Bond No. SU5016824-A dated August 9, 2012 in the amount of \$91,376.40 issued by Arch Insurance Company is hereby approved, and the Township Clerk may accept said Maintenance Surety Bond.

2. The approval granted herein is given in reliance upon all representations made by the Applicant, including drawings, plans and other materials filed in connection with this application, and those items specifically referred to and/or incorporated in all Resolution(s) adopted by the Elk Township Committee relating to the Applicant's project.

3. That no Performance Guarantee shall be released until payment by the Applicant of any outstanding fees or costs from inspections, escrows and/or items more particularly set forth in the Application and Resolution of the Township Planning/Zoning Board approving the project.

4. The Township Clerk is directed to forward a certified copy of this Resolution to the Applicant, the Elk Township Engineer and the Elk Township Construction Official.

**ADOPTED** at a regular meeting of the Elk Township Committee held on September 6, 2012.

**TOWNSHIP OF ELK**

BY:

  
Philip A. Barbaro, Jr., Mayor

ATTEST:

  
DEBORA R PINE, Township Clerk

ROLL CALL VOTE				
COMMITTEE	AYES	NAYS	ABSTAIN	ABSENT
Pantaleo				<input checked="" type="checkbox"/>
Sammons	<input checked="" type="checkbox"/>			
Spring	<input checked="" type="checkbox"/>			
Swanson	<input checked="" type="checkbox"/>			
Barbaro	<input checked="" type="checkbox"/>			

**CERTIFICATION**

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on September 6, 2012 in the Elk Township Municipal Building, 667 Whig Lane Road, Monroeville, New Jersey.

\_\_\_\_\_  
DEBORA R. PINE  
Township Clerk

# BILL APPROVAL

## September 6, 2012

### Bank Wires, Manual and Interim Checks

**GENERAL ACCOUNT:**

1) Elk Township	12-00726	\$65,807.88
2) TRICO JIF	12-00708	\$65,008.00
3) State of NJ Division of Pensions	12-00743	\$31,419.05

**DOG ACCOUNT:**

1) NJ Department of Health	12-00749	\$186.00
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**RECREATION OPERATING:**

1) George Ely Associates		\$499.00
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**ELMER ESCROW:**

1) Bach Assocaites	12-00744	\$533.25
2) Fralinger Engineering	12-00745	\$1,265.70

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TOWNSHIP OF ELK  
Check Payment Batch Verification Listing

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Batch Id: SC Batch Type: C Batch Date: 09/06/12 Checking Account: CURRENT G/L Credit: Budget G/L Credit  
Generate Direct Deposit: N

Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Charge Account Description	Account Type	Status	Seq
12-00742	09/02/12	1 AUGUST ELECTRIC/STREET LIGHTS	3,405.00	2-01- -037-223 ELECTRICITY	Budget	Aprv	51
12-00742	09/02/12	2 AUGUST ELECTRIC/STREET LIGHTS	825.33	2-01- -037-222 STREET LIGHTING EXPENSE	Budget	Aprv	52
			4,230.33				
12-00747	09/04/12	1 MAJOR PM - PER CONTRACT	340.75	2-01- -020-225 MISCELLANEOUS	Budget	Aprv	54
			340.75				
12-00741	09/02/12	1 REIMBURSE-AIR SYSTEM TESTING	1,845.00	2-01- -028-226 AID TO FIRE COMPANY OTHER EXPENSES	Budget	Aprv	50
			1,845.00				
12-00711	08/23/12	1 REIMBURSE SHIRTS	69.00	2-01- -032-225 MISCELLANEOUS	Budget	Aprv	19
			69.00				
12-00714	08/25/12	1 REIMBURSE-AR15/M16 BUFFER TUBE	89.98	2-01- -029-236 EQUIPMENT & SUPPLIES	Budget	Aprv	22
			89.98				
12-00699	08/19/12	1 WATER	63.78	2-01- -020-225 MISCELLANEOUS	Budget	Aprv	12
			63.78				
12-00575	07/09/12	3 SCHOOL TAXES 9/12/12	258,774.15	2-01- -905-002 REGIONAL SCHOOL TAXES	Budget	Aprv	3
			258,774.15				
12-00722	08/25/12	1 SEPTEMBER DENTAL	1,125.84	2-01- -026-222 GROUP INSURANCE PLAN	Budget	Aprv	31
			1,125.84				



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Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Charge Account Description	Account Type	Status	Seq
12-00740	09/06/12 09/02/12	D0203 DENNY SEPTIC & PORTABLE TOILET 1 AUGUST SERVICE	140.00 ----- 140.00	2-01- -020-225 MISCELLANEOUS	Budget	Aprv	49
12-00746	09/06/12 09/04/12	D0498 BRIAN J. DUFFIELD 1 LEGAL THRU 8/31/2012	3,423.37 ----- 3,423.37	2-01- -017-222 LEGAL OPERATING EXPENSES	Budget	Aprv	53
12-00709	09/06/12 08/23/12	D0499 BRIAN J. DUFFIELD 1 PROSECUTOR 3RD QTR	3,499.99 ----- 3,499.99	2-01- -018-225 PROSECUTOR OE	Budget	Aprv	17
12-00696	09/06/12 08/19/12	F0525 FRED HARZ & SONS 1 TIRES MOUNT AND PLUG	41.47 ----- 41.47	2-01- -061-232 PUB WORKS VEHICLE MAINT-TIRES	Budget	Aprv	11
12-00707	09/06/12 08/23/12	G0160 G.F.O.A. OF NEW JERSEY 1 CONSIDINE,STEPHEN FALL CONF.	325.00 ----- 325.00	2-01- -013-226 EDUCATIONS & CONFERENCES	Budget	Aprv	16
12-00728	09/06/12 09/02/12	G0267 MCAA OF GLOUCESTER COUNTY 1 9/21-ZUCCARELLI	65.00 ----- 65.00	2-01- -050-226 EDUCATION & CONFERENCES	Budget	Aprv	36
12-00718	09/06/12 08/25/12	H0165 HOFFMAN SERVICES, INC. 1 LIFT INSPECTION	250.00 ----- 250.00	2-01- -034-236 EQUIPMENT & SUPPLIES	Budget	Aprv	27
12-00715	09/06/12 08/25/12	H0350 STEVEN HUGHES 1 REFRIDGERATOR	106.99	2-01- -029-236 EQUIPMENT & SUPPLIES	Budget	Aprv	23
12-00715	08/25/12	2 UPS SHIPPING	33.97 ----- 140.96	2-01- -029-227 POSTAGE	Budget	Aprv	24
	09/06/12	L0440 GARY H. LOMANNO ESQ.					

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Check Payment Batch Verification Listing

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Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Charge Account Description	Account Type	Status	Seq
12-00710	08/23/12	1 3RD QTR PUBLIC DEFENDER	2,000.00	2-01- -051-221 PUBLIC DEFENDER OE	Budget	Aprv	18
			----- 2,000.00				
	09/06/12	M0018 MAJESTIC OIL COMPANY, INC.					
12-00717	08/25/12	1 8/21 REGULAR	1,830.99	2-01- -037-226 GASOLINE/DIESEL	Budget	Aprv	26
			----- 1,830.99				
	09/06/12	M0476 MUNICIPAL CLERKS ASSO. OF NJ					
12-00724	08/25/12	1 FALL CONFERENCE	15.00	2-01- -043-226 EDUCATION & CONFERENCES	Budget	Aprv	33
			----- 15.00				
	09/06/12	N0025 NEXTEL/SPRINT COMMUNICATION					
12-00737	09/02/12	1 944312212-132 MONTHLY INVOICE	256.78	2-01- -037-224 TELEPHONE	Budget	Aprv	46
			----- 256.78				
	09/06/12	N0048 NJ DEPARTMENT OF LABOR					
12-00723	08/25/12	1 0-222-057-126-000-00 ASSESSMT	408.59	2-01- -049-225 UNEMPLOYMENT FUND	Budget	Aprv	32
			----- 408.59				
	09/06/12	O0260 OFFICE PRODUCTS					
12-00729	09/02/12	1 SUPPLIES-PAPER,PENS,TAPE,ETC	114.20	2-01- -029-223 OFFICE SUPPLIES	Budget	Aprv	37
			----- 114.20				
	09/06/12	P0250 PEACH COUNTRY FORD					
12-00736	09/02/12	1 TRACTOR TEMP SENSOR	376.43	2-01- -034-239 REPAIRS TO EQUIPMENT	Budget	Aprv	42
12-00736	09/02/12	2 HYRAULIC BOOM CUTTER	223.62	2-01- -034-239 REPAIRS TO EQUIPMENT	Budget	Aprv	43
12-00736	09/02/12	3 HYRAULIC BOOM CUTTER	21.12-	2-01- -034-239 REPAIRS TO EQUIPMENT	Budget	Aprv	44
12-00736	09/02/12	4 BOOM CUTTER	436.00	2-01- -034-239 REPAIRS TO EQUIPMENT	Budget	Aprv	45
			----- 1,014.93				
	09/06/12	P0610 PUBLIC SAFETY OUTFITTERS					
12-00732	09/02/12	1 HEAT PRESS LETTERING/BAG	45.10	2-01- -029-225 MISCELLANEOUS	Budget	Aprv	39
			----- 45.10				

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Check Payment Batch Verification Listing

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Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Charge Account Description	Account Type	Status	Seq
12-00731	09/02/12	09/06/12 P0701 PROFESSIONAL PULMONARY SERVICE 1 TANKS - OXYGEN C AND D	115.50	2-01- -029-236 EQUIPMENT & SUPPLIES	Budget	Aprv	38
			----- 115.50				
12-00701	08/19/12	09/06/12 Q0100 QC LABORATORIES 1 8/2 TESTING	50.00	2-01- -020-225 MISCELLANEOUS	Budget	Aprv	13
12-00720	08/25/12	1 TESTING 8/16	50.00	2-01- -020-225 MISCELLANEOUS	Budget	Aprv	29
			----- 100.00				
12-00704	08/19/12	09/06/12 Q0401 QUILL CORPORATION 1 CLIPBOARDS	7.86	2-01- -050-223 OFFICE SUPPLIES	Budget	Aprv	14
12-00704	08/19/12	2 ENVLEOPES,PAPER,PENS	139.72	2-01- -043-223 OFFICE SUPPLIES	Budget	Aprv	15
			----- 147.58				
12-00725	08/25/12	09/06/12 R0331 REGISTRAR ASSN NJ-CONFERENCE 1 PINE/FOLEY-REGISTRATION	98.00	2-01- -040-225 MISCELLANEOUS	Budget	Aprv	34
			----- 98.00				
12-00719	08/25/12	09/06/12 S0010 SAFEGUARD BUSINESS SYSTEMS INC 1 LASER CHECKS	194.87	2-01- -013-223 OFFICE SUPPLIES	Budget	Aprv	28
			----- 194.87				
12-00025	01/02/12	09/06/12 S0100 MILTON SAHMS 9 2012 TELEPHONE-SEPTEMBER	15.00	2-01- -037-224 TELEPHONE	Budget	Aprv	1
			----- 15.00				
12-00712	08/25/12	09/06/12 S0452 CRISTINA SMITH 1 COURT AUGUST RECORDER	270.00	2-01- -050-225 MISCELLANEOUS	Budget	Aprv	20
			----- 270.00				
12-00713	08/25/12	09/06/12 S0455 LUZ S. SMITH 1 COURT INTERPRETER AUGUST	600.00	2-01- -050-225 MISCELLANEOUS	Budget	Aprv	21
			----- 600.00				

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Check No. PO #	Check Date Enc Date	Vendor # Name Item Description	Payment Amt	Charge Account Description	Account Type	Status	Seq
12-00721	09/06/12 08/25/12	S0477 SOUTH JERSEY WATER 1 ANNUAL SERVICE	177.50	2-01- -020-225 MISCELLANEOUS	Budget	Aprv	30
			----- 177.50				
12-00692	09/06/12 08/19/12	T0150 TANGY'S AUTO SERVICE 1 TIRES - 4WD TRUCK	895.60	2-01- -061-232 PUB WORKS VEHICLE MAINT-TIRES	Budget	Aprv	8
12-00716	09/06/12 08/25/12	1 99CV-VACUMN HOSES	189.93	2-01- -061-226 POLICE VEHICLE MINOR REPAIR	Budget	Aprv	25
			----- 1,085.53				
12-00735	09/06/12 09/02/12	T0200 TAG'S AUTO SUPPLY, INC 1 10W40 MOTOR OIL	29.52	2-01- -034-239 REPAIRS TO EQUIPMENT	Budget	Aprv	41
			----- 29.52				
12-00734	09/06/12 09/02/12	T0390 THIS & THAT UNIFORMS 1 SHOES	89.00	2-01- -029-236 EQUIPMENT & SUPPLIES	Budget	Aprv	40
			----- 89.00				
12-00561	09/06/12 07/03/12	T0600 TREASURER OF SCHOOL MONEYS 3 SEPTEMBER 5, 2012	197,417.09	2-01- -905-001 LOCAL SCHOOL TAXES	Budget	Aprv	2
			----- 197,417.09				
12-00687	09/06/12 08/19/12	U0105 U.S. CAVALRY 1 POUCHES	63.16	2-01- -029-233 UNIFORM ALLOWANCE	Budget	Aprv	4
12-00687	08/19/12	2 DUTY SUSPENDERS	31.44	2-01- -029-233 UNIFORM ALLOWANCE	Budget	Aprv	5
12-00687	08/19/12	3 SIDE SADDLE CARRIER, SHIRT, BELT	110.07	2-01- -029-233 UNIFORM ALLOWANCE	Budget	Aprv	6
12-00687	08/19/12	4 POUCH, GLOVES, ETC	309.30	2-01- -029-233 UNIFORM ALLOWANCE	Budget	Aprv	7
			----- 513.97				
12-00695	09/06/12 08/19/12	W0080 WARREN'S HARDWARE 1 WASP HORNET SPRAY	26.64	2-01- -020-225 MISCELLANEOUS	Budget	Aprv	9
12-00695	08/19/12	2 WASP HORNET SPRAY	2.66	2-01- -020-225 MISCELLANEOUS	Budget	Aprv	10
12-00738	09/02/12	1 WASP/BEE KILLER	17.99	2-01- -034-225 MISCELLANEOUS	Budget	Aprv	47

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Check Payment Batch Verification Listing

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Check No.	Check Date	Vendor #	Name	Payment Amt	Charge Account Description	Account Type	Status	Seq
PO #	Enc Date	Item	Description					
				41.97				
12-00739	09/06/12	X0300	XTel COMMUNICATIONS, INC.					
	09/02/12	1	TELEPHONE	906.21	2-01- -037-224 TELEPHONE	Budget	Aprv	48
				906.21				
12-00727	09/06/12	Z0400	MELISSA ZUCCARELLI					
	09/02/12	1	REIMBURSE PRINTER RIBBON	35.57	2-01- -050-223 OFFICE SUPPLIES	Budget	Aprv	35
				35.57				

	Count	Line Items	Amount
Checks:	41	54	481,947.52

There are NO errors or warnings in this listing.

